

# Wash. Health Dept. Says GEO Blocking Probe Of ICE Prison

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## Summary

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## Body

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The Washington State Department of Health said that two of its employees had tried entering GEO's Tacoma facility twice in November – the second time with the state's assistant secretary for environmental public health – but were denied entry.

The department said that its inability to investigate the facility pursuant to a state law aimed at improving health and safety standards in private prisons will ultimately result in detainees being further harmed.

"Based upon the complaints the department has received from detainees about their health and hygiene, there will be continued actual and substantial injury to detainees if their complaints are not investigated," the DOH said in the complaint moved to federal court on Tuesday. "Their health and hygiene is likely to worsen if no outside source is allowed to check on their welfare."

The facility is GEO's Northwest U.S. Immigration and Customs Enforcement Processing Center, the sole federal immigration detention facility in the state of Washington being operated for ICE.

The state health department initiated its lawsuit in Washington's Thurston County Superior Court in December, saying it received complaints from detainees of unmet medical needs, unsafe food, unclean clothing and bedding, and misuse of solitary confinement. But GEO filed a notice of removal on Tuesday, moving the case to federal court.

In its notice, the private prison giant defended itself by arguing that it was merely acting at the direction of ICE, who it said had "explicitly directed" the company to deny the health department access to the facility.

"Accordingly, this case is removable on the grounds of federal officer removal jurisdiction," the company said.

GEO said the state health department had also repeatedly tried to gain access to the NWIPC over the past three months using state law H.B. 1470, which the company is currently challenging in federal court and has claimed immunity from as a contractor for the U.S. The law came into effect in May.

The health department had said in its complaint, however, that while GEO challenged the law's validity, the challenge hasn't yet been resolved. And the department is not named as a defendant in the separate lawsuit, nor has the federal court enjoined the enforcement of the law, it said.

Representatives for the Washington State Department of Health and for GEO did not immediately respond to requests for comment Wednesday.

The Washington State Department of Health is represented by Lisa Kelley Christensen of the Washington State Attorney General's Office.

GEO is represented by Harry J. F. Korrell and John G. Hodges-Howell of Davis Wright Tremaine LLP.

The case is State of Washington, Department of Health v. GEO Group Inc., case number 3:24-cv-05029, in the U.S. District Court for the Western District of Washington.

--Editing by Scott Russell.